

In The Circuit Court

of
Baltimore City ³⁷

Austina Parkway 1922

vs

Rufus Parkway

Petition for Divorce

Mr. Clerk please file

~~(Handwritten signature)~~

B 23356
{1} {2}

DAVIS & BISHOP

ATTORNEYS AT LAW

BANNER BUILDING

E. P. BALTIMORE

BALTIMORE, MD.

Ed. J. [Signature] 1922

AUSTINA PINKNEY

IN THE CIRCUIT COURT

VS

OF

RUFUS PINKNEY

BALTIMORE CITY.

33
44 ::

TO THE HONORABLE, THE JUDGE OF SAID COURT,

Your oratrix complaining, respectfully says:-

FIRST, That the parties hereto were married on or about May 16, 1913 and lived together as man and ^{wife} until on or February 20, 1918. Said marriage occurred in Baltimore City, and was performed by Rev. Mach.

SECOND, That your oratrix is a resident of the city of Baltimore, State of Maryland and has been for more than two years prior to the filing of this bill of complaint. That the defendant is a non-resident of the State of Maryland and when last heard of was in Pittsburg, Pa.

THIRD, That though the conduct of your oratrix toward her husband has always been kind, affectionate and above reproach, he without any just cause or reason abandoned and deserted your oratrix, and has declared his intentions to live with her no longer; that such abandonment has continued uninterruptedly for more than three years prior to the filing of this bill of complaint and was deliberate and final, and beyond any reasonable hope or expectation of reconciliation.

FOURTH, That your oratrix has never condoned nor forgiven the said desertion, that he has never co-habited with the said respondent since the desertion.

FIFTH, That there are no children born as a result of said marriage.

WHEREFORE YOUR ORATRIX PRAYS:

- a- A Divorce A Vinculo Matrimonii from the respondent.
- b-b That her maiden name be resumed to Bell.
- c-c Such other and further relief as the case may require.

May it please Your Honor, to grant unto Your Oratrix, an order of publication, setting forth the nature and substance of this Bill and warning the said defendant to be in this Court in person or appear by solicitor on or before a certain day to be therein named and show cause, if any he may have why a decree should not be passed as prayed.



ATTORNEY FOR PLAINTIFF.

J. STEWARD DAVIS, SOLICITOR.

14 E. Pleasant St.

IN THE CIRCUIT COURT OF BALTIMORE CITY.

Austina Pinkney versus Rufus Pinkney.

ORDER OF PUBLICATION:

The Bill states that the parties thereto were married in (the) Baltimore City, State of Maryland on or about May 16, 1913 and lived together as man and wife until on or about February 20, 1918. Said marriage occurred in Baltimore City, and was performed by Rev. Mach. That the plaintiff is a resident of the city of Baltimore, State of Maryland and has been for more than two years prior to the filing of this bill of complaint. That the defendant is a non resident of this city and state and state and when last heard of was in Pittsburgh, Pa. That though the conduct of the plaintiff toward her husband was always kind and affectionate and above reproach, he without any just cause or reason abandoned and deserted her, and has declared his intentions to live with her no longer.

It is thereupon by the Circuit Court of Baltimore City, ordered this ²⁶ day of ^{January} 1922; that the plaintiff by causing a copy of this order to be inserted in some daily newspaper, published in the city of Baltimore, once a week for four successive weeks, before the ²⁷ day of ^{February} 1922; and give notice to the said defendant Rufus Pinkney (now absent) of the object and substance of this bill and warning him to be and appear in this court in person or by solicitor, on or before the ¹⁵ day ^{March} 1922 to show cause if any he may have, why a decree should not be passed as prayed.

Carroll J. Bond

J. Steward Davis, Solicitor,
14 E. Pleasant Street,

IN THE CIRCUIT COURT OF BALTI-
MORE CITY—(B—37—1922)—Austina
Pinkney vs. Rufus Pinkney.

ORDER OF PUBLICATION.

The bill states that the parties thereto were married in (the) Baltimore City, State of Maryland, on or about May 16, 1913, and lived together as man and wife until on or about February 20, 1918. Said marriage occurred in Baltimore City, and was performed by Rev. Mach. That the plaintiff is a resident of the City of Baltimore, State of Maryland and has been for more than two years prior to the filing of this bill of complaint. That the defendant is a non-resident of this city and State and when last heard of was in Pittsburgh, Pa. That, though the conduct of the plaintiff toward her husband was always kind and affectionate and above reproach, he, without any just cause or reason, abandoned and deserted her and has declared his intentions to live with her no longer.

It is thereupon, by the Circuit Court of Baltimore City, ordered this 26th day of January 1922, that the plaintiff, by causing a copy of this order to be inserted in some daily newspaper, published in the City of Baltimore, once a week for four successive weeks, before the 27th day of February, 1922, give notice to the said defendant, Rufus Pinkney (now absent) of the object and substance of this bill and warning him to be and appear in this Court, in person or by solicitor, on or before the 15th day of March, 1922, to show cause, if any he may have, why a decree should not be passed as prayed.

CARROLL T. BOND.

True copy—Test:

CHAS. R. WHITEFORD,

ja27E3.10,17

Clerk.

Baltimore, FEB 17 1922, 192.....

We hereby certify that the annexed advertise-
ment of Order..... *Publication*..... Circuit Court

..... of Baltimore City Case of.....

Austina Pinkney

vs. *Rufus Pinkney*

was published in THE DAILY RECORD, a daily news-

paper published in the City of Baltimore, once in each of

..... *Four*..... successive weeks before the

..... *27th*..... day of *February*, 1922

First insertion *January 27th*, 1922

THE DAILY RECORD

Per *Madison W. Crabster*

37 *AB2* Ct. Ct.
1912 *v* Docket

Penkney

vs.

Penkney

Decree Pro Confesso.

P 23356
No. *4*

Filed *25 Sept* 1912

Austina Pinkney
vs.
Rufus Pinkney

IN THE
Circuit Court
OF
BALTIMORE CITY.

Sept Term, 19*22*

The Defendant having been duly ~~summoned~~ (notified by Order of Publication) to appear to the Bill of Complaint, and having failed to appear thereto, according to the exigency of the writ, (said Order).

It is thereupon this *23* day of *September* in the year nineteen hundred and *Twenty two* by the Circuit Court of Baltimore City, ADJUDGED, ORDERED and DECREED, that the complainant is entitled to relief in the premises, and that the bill of Complaint be and is hereby taken pro confesso against said defendant. But because it doth not certainly appear to what relief the Plaintiff is entitled, it is further *Adjudged*, and *Ordered*, that one of the Examiners of this Court, take testimony to support the allegations of the bill.

Cassell J. Bond

STATE OF MARYLAND,
BALTIMORE CITY, SCT :

I hereby certify that on this _____ day of _____ 19____ before me, the subscriber, a Notary Public, of the State of Maryland, in and for the City aforesaid, personally appeared _____ and made oath in due form of law that her (his) husband (wife) the defendant in the above entitled case is not in the Military or Naval service of the United States Government, to the best of her (his) knowledge, information and belief.

As Witness my hand and Notarial Seal.

Notary Public.

3/2/4/6

Doc. B ³⁷
1922

In the Circuit Court,
OF BALTIMORE CITY

DEPOSITIONS

Augustina Pinkney

vs.

Rufus Pinkney

No. 20335-6 B

PLAINTIFF'S COSTS

Examiners.....	\$ <u>8⁰⁰</u>
Copies.....
Sheriff.....
Stenographer.....	<u>2⁰⁰</u>
	\$ <u><u>10⁰⁰</u></u>

DEFENDANT'S COSTS

Examiners.....	\$
Copies.....
Sheriff.....
Stenographer.....

A 16 Jan 1923

Austina Pinkney

vs.

Rufus Pinkney

In the Circuit Court
OF BALTIMORE CITY.

Decree Pro Confesso having been passed in said cause and notice having been given me by the Solicitor for the *plaintiff* of a desire to take testimony in the same, I, A. de RUSSY SAPPINGTON, one of the Standing Examiners of the Circuit Courts of Baltimore City, under and by virtue of an order of the above named Circuit Court, passed in said cause on the *twenty-fifth* day of *September* 1922, met on the *twenty-fifth* day of *September* in the year nineteen hundred and *twenty-two* at my office, in the City of Baltimore, in the State of Maryland, and assigned the *twenty-sixth* day of *September* in the same year at *three-thirty* o'clock in the *after* noon and the office of *J. Stewart Davis, Esq.* in the City and State aforesaid, as the time and place for such examination of witnesses in said cause; at which last mentioned time and place I attended, due notice of such meeting having been given, and proceeded in the presence of the Solicitor of the *plaintiff* to take the following depositions, that is to say:—

Pinkney ,

v .

Pinkney.

Testimony taken at the office of Mr. Davis,
Courtland Street, Baltimore, Maryland, September
26th., 1922, at 3.30 O'clock P. M.

AUSTINA PINKNEY, the plaintiff in this case,
produced on his own behalf, having been first duly
sworn, deposeseth and saith as follows, that is to say:

BY THE EXAMINER:

1 Q. State your name residence and occupation?

A. Austina Pinkney, 322 North Stricker Street; day s'
work.

2 Q. Do you know the parties to this suit?

A. I am the Plaintiff and my husband is the Defendant.

BY MR. DAVIS:

1 Q. When were you married?

A. 1913 - May 16th.

2 Q. Were you married by a Minister of the Gospel?

A. Yes.

3 Q. According to a Religious Ceremony?

A. Yes.

4 Q. In Baltimore City.

A. Yes.

A. Pinkney.

5 Q. Have you been a resident of Baltimore city, State of Maryland, for at least two years prior to the filing of this suit?

A. Yes; all my life.

6 Q. Are there any children as the result of this marriage?

A. No.

7 Q. What was your conduct towards your husband while living together; how did you behave yourself?

A. I behaved myself as a wife should.

8 Q. State whether or not you were always a kind, affectionate and faithful wife?

A. Yes.

9 Q. Are the parties to this suit living together now?

A. No sir.

10 Q. Which left the other,

A. My husband left me.

11 Q. When?

A. 20th., February 1918.

12 Q. Did he have any just cause or reason to abandon and desertt you at that time?

A. No sir.

12 Q. What happened at that time; what did he say and what did he do.

A: Pinkney.

A. He did not say -- He did not do anything only he went off.

13 Q. What did he say?

A. He did not say anything.

14 Q. Did you go to him after he left you and try to get him to come back and live with you and do as a husband should?

A. Yes.

15 Q. More than once?

A. Yes.

16 Q. And each time what did he say?

A. He did not say anything to me; he would not talk to me.

17 Q. Where did you see him on these occasions?

A. On the street and up at his mother's.

18 Q. And each time he refused to talk to you at all?

A. Yes.

19 Q. Has his abandonment of you continued uninterruptedly since February 20th., 1918?

A. Yes.

19 Q. State whether or not said abandonment was deliberate and final; did he deliberately and finally abandon and desert you?

A. Yes.

A. ^Winkney .

20 Q. state whether or not there is any reasonable expectation of a reconciliation; do you ever expect them to make up and live together again?

A. No.

21 Q. Is he a resident or a non-resident of the State of Maryland?

A. Out of Maryland.

22 Q. Of what State is he a resident?

A. Pittsburgh, Pennsylvania.

GENERAL QUESTION

Do you know or can you state any other matter or thing that may be to the benefit or advantage of the parties to this suit, or either of them, or that may be material to the subject of this, your examination, or the matters in question between the parties? If so, state the same fully and at large in your answer.

A.---

No.

Mrs. Austin A. Pinckney

BEATRICE BELL, a witness of lawful age, produced on behalf of the Plaintiff, having been first duly sworn, deposes and saith as follows, that is to say:

BY THE EXAMINER:

1 Q. State your name residence and occupation?

A. Beatrice Bell, 322 N. Stricker Street; Baltimore, Maryland.

2 Q. How old are you.

A. Fifteen years old.

3 Q. Do you know the parties to this suit?

A. I am the plaintiff and my husband is the Defendant.

BY MR. DAVIS:

1 Q. Are you related to the parties to this suit?

A. She is my sister.

2 Q. You are a sister to Mrs. Pinkney.

A. Yes.

3 Q. Are the parties to this suit husband and wife?

A. Yes.

4 Q. Did they live together as husband and wife and were they always known and recognized in the community in which they lived as husband and wife?

A. Yes.

5 Q. Has the Plaintiff been a resident of Baltimore City, State of Maryland, for at least two years prior to the filing of this suit?

A. No.

B. Bell.

6 Q. What was her conduct towards her husband while living together; how did she behave herself?

A. She behaved herself as she should.

7 Q. State whether or not she was always a kind, affectionate and faithful wife?

A. Yes.

8 Q. Are the parties to this suit living together now?

A. No sir.

9 Q. Which left the other?

A. He left her.

10 Q. When?

A. February 26th ., 1918.

11 Q. Did he have any just cause or reason to abandon and desert her husband at that time?

A. No sir.

12 Q. What did he say and what did he do?

A. He did not say anything.

13 Q. What did he do.

A. He did not do anything but walk out.

14 Q. How long did she continue to live in the same house in which her husband abandoned and deserted her after the desertion?

A. About eleven months.

15 Q. And then where ^{did} she ~~she~~ move?

A. 112 North Gilmer Street.

B. Bell.

16 Q. How far was that way from the house in which her husband abandoned and deserted her?

A. Two blocks.

17 Q. Did he alway know where he could locate his wife and communicate with her if he wanted to get her to come bak to him or if he wanted to go back to her.

A. Yes.

18 Q. Did he do it?

A. No sir.

19 Q. Has he provided or offered to provide a home forhis wife since he abandonjed and deserted her?

A. No sir.

21 Q. Was there anything to prevent him doing so if he had wanted to.

A. No sir.

22 Q. Has he shown by his acts that he doesnot intend to live with his wife any more?

A. Yes.

23 Q. Have they lived or cohabited together as husband and wife since that time?

A. No sir.

24 Q. State whether or not his abandonment of his wife was deliberate and final?

A. Yes;it was deliberate and final.

B. Bell.

25 Q. Is he a resident or a non-resident of the State of Maryland?

A. He is a non-resident.

26 Q. Of what state is he a resident?

A. Pittsburgh, Pennsylvania.

GENERAL QUESTION

Do you know or can you state any other matter or thing that may be to the benefit or advantage of the parties to this suit, or either of them, or that may be material to the subject of this, your examination, or the matters in question between the parties? If so, state the same fully and at large in your answer.

A.---

W
Beatrice Bille

No other witnesses being named or produced before me, I then, at the request of the Solicitor..... of the Plaintiff..... closed the depositions taken in said cause and now return them closed under my hand and seal, on this 15th day of June in the year of Our Lord nineteen hundred and twenty-five at the City of Baltimore, in the State of Maryland.

A. de Russey Sappington (SEAL).
Examiner.

There are no..... Exhibits with these depositions, to wit:

Plaintiff's..... Exhibit \

Defendant's..... Exhibit \

A. de Russey Sappington
Examiner.

I, A. de RUSSY SAPPINGTON, the Examiner before whom the foregoing depositions were taken, do hereby certify that I was employed in assigning a day, and taking the said depositions upon two days, on both of which I was employed by the Plaintiff....., and on none by the Defendant.....

A. de Russey Sappington
Examiner.

Circuit Court

37
192 2

Docket No.

Pinkney

vs.

Pinkney

Order of Reference
and Report

923356

No.

(6)

Roberts

✓

Order Filed *18* day of *June* 192 *3*

Report Filed day of 192

Antonia Pinkney
vs.
Rufus Pinkney

IN THE 37
Circuit Court

OF
BALTIMORE CITY

May Term 1923
18

This case being submitted, without argument, it is ordered by the Court, this
day of *June*, 1923, that the same be and it is hereby referred to
Alfred H. Robertson, Esq., Auditor and Master, to report the
pleadings and the facts, and his opinion thereon.

Alfred H. Robertson

Report of Auditor and Master

Bill filed by wife against husband for a divorce a vinculo matrimonii
for three years abandonment and to be permitted to resume her maiden name.
Code Art. 16, Sec. 36.

Order of publication against defendant as a non-resident, no answer,
decree pro confesso, thirty days elapsed.

Proof shows marriage, residence of plaintiff and non-residence of de-
fendant and abandonment for three years, continuous, deliberate, final and
without hope of reconciliation and that the plaintiff be permitted to resume
her maiden name.

Case ready for decree.

Alfred H. Robertson
Auditor and Master.

CIRCUIT COURT

B 37
1922 No. Docket

.....Austina Pinkney.....

VS.

.....Rufus Pinkney.....

Recorded

Folio 193 1923

Decree of Divorce

B 23 356

B No.

(77)

At 12 July 1923

The within is a proper decree to be passed
in this case.

Alfred W. ...
Auditor and Master.

Decree of Divorce

IN THE

Circuit Court

OF

BALTIMORE CITY

..... Austina Pinkney

VS.

..... Rufus Pinkney

July

Term, 19.....

23

This cause standing ready for hearing and being duly submitted, the proceedings were by the Court read and considered.

12th

July

It is thereupon, this..... day of....., A. D. 1923

by the Circuit Court of Baltimore City, Adjudged, Ordered and Decreed, that the said -----

----- Austina Pinkney -----

the above named Complainant be and she is hereby DIVORCED A VINCULO MATRIMONII from the Defendant, the said Rufus Pinkney.

And that the plaintiff be permitted to resume her maiden name, Austina Bell.

And it is further Ordered, That the said plaintiff..... pay the cost of this proceeding.

H. Arthur Stump